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8/28/01
Date

Susan LaMont
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

MACKLIN and FULLER

Serial No.: 09/501,328

Group Art Unit: 1645

Filing Date: February 9, 2000

Examiner: Rodney P. Swartz

Title: MYCOBACTERIUM TUBERCULOSIS IMMUNIZATION

RESPONSE TO REQUIREMENT FOR RESTRICTION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is in response to the Restriction Requirement dated June 28, 2001. Submitted herewith is a petition for a one-month extension of time, making a response due on or before August, 28, 2001. Accordingly, this response is timely filed.

The Examiner has required election of one of the following groups of claims:

Group I. Claims 1-6, drawn to DNA and vector;

Group II. Claims 7-49, drawn to method of immunizing; and

Group III, Claims 50-55, drawn to gene therapy.

Applicants hereby elect to prosecute the claims of Group II, claims 7-49, without traverse. Applicants expressly reserve their right under 35 U.S.C.

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§121 to file one or more divisional applications directed to the nonelected subject matter during the pendency of this application.

Respectfully submitted,

Date: Aug 28, 2001

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